

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ANDREA A. HALL,

Plaintiff,

vs.

CIVIL NO: 05 -CV-72019-DT

COMMISSIONER OF
SOCIAL SECURITY,

HON. ROBERT H. CLELAND

Defendant.

_____ /

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

The case was referred to United States Magistrate Judge Mona K. Majzoub pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 72.1. The magistrate judge issued her report on July 5, 2007 recommending that this court deny the Defendant's motion for summary judgment, deny the Plaintiff's motion for summary judgment and remand for further proceedings. No objections have been filed pursuant to 28 U.S.C. §636(b)(1)(C); thus further appeal rights are waived.¹

Having reviewed the file and the report, the court determines that the findings and conclusions of the magistrate judge are correct and **ADOPTS** the same for purposes of this order.

ORDER

¹ The failure to object to the magistrate judge's report releases the court from its duty to independently review the motion. See *Thomas v. Arn*, 474 U.S. 140,149 (1985).

IT IS ORDERED that, for the reasons set forth in the Magistrate Judge's Report and Recommendation, the Plaintiff's motion for summary judgment and Defendant's motion for summary judgment are **DENIED and the case is remanded for further proceedings.**

IT IS SO ORDERED.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: July 24, 2007

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, July 24, 2007, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522